

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

13694/100001

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/073986

INTERNATIONAL APPLICATION NO

PCT/AU2004/001296

INTERNATIONAL FILING DATE

22 September 2004

PRIORITY DATE CLAIMED:

03 October 2003

TITLE OF INVENTION

DENTAL APPLIANCE

APPLICANT(S) FOR DO/EO/US

DA CRUZ, Joseph

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

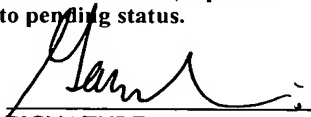
Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **International Search Report, International Preliminary Report on Patentability, Marked-up copy of Substitute Specification**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10 73986</b>		INTERNATIONAL APPLICATION NO <b>PCT/AU2004/001296</b>		ATTORNEY'S DOCKET NUMBER <b>13694/100001</b>	
21. The following fees are submitted:					
<input checked="" type="checkbox"/> Basic National Fee.....		\$ 300.00		\$ 300.00	
22 <input checked="" type="checkbox"/> Examination Fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT					
Article 33(1)-(4).....		\$ 100.00			
All other situations .....		\$ 200.00		\$ 200.00	
23 <input checked="" type="checkbox"/> Search Fee					
Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority .....					
		\$ 100.00			
International Search Report prepared and provided to the Office.....					
		\$ 400.00		\$ 400.00	
All other situations .....		\$ 500.00			
<b>TOTAL OF ABOVE CALCULATIONS</b>				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
40	0/50=0	0	x \$250	\$ -0-	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	20- 20 =	0	x \$50.00	\$ -0-	
Independent Claims	3 - 3 =	0	x \$200.00	\$ -0-	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ -0-	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 900.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 900.00	
<b>SUBTOTAL =</b>				\$ 900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ -0-	
<b>TOTAL NATIONAL FEE =</b>				\$ 900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ -0-	
<b>TOTAL FEES ENCLOSED =</b>				\$ 900.00	
				Amount to be refunded:	\$
				Amount to be charged	\$

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 11-0600 in the amount of \$900.00 to over the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0600. A duplicate copy of this sheet is enclosed.
- NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:  
 KENYON & KENYON LLP  
 1500 K Street, N.W., Suite 700  
 Washington, DC 20005  
**CUSTOMER NO. 23838**

  
 SIGNATURE  
 (Reg. No. 40,735)  
 NAME: Gary S. Morris  
 DATE: 30 March 2006